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11. The following is the International Narcotics Control Strategy Report, 2009-2010, Part 1 for Serbia.

BEGIN TEXT.

Serbia

## II. Summary

The Republic of Serbia is a major transit country for narcotics and other drugs along the Balkan smuggling corridor from Turkey to Central and Western Europe. In 2009, Serbia took measures to improve its capacity to combat drug trafficking through new laws and law enforcement initiatives that tightened the regulations on narcotics, corruption, and organized crime, including legislation authorizing plea bargaining and the use of witness collaborators. Serbia's drug laws are adequate, but strategic coordination among law enforcement and judicial bodies is problematic. A small amount of smuggled narcotics remains in Serbia for domestic consumption. As Yugoslavia's successor state, the Republic of Serbia is party to the 1988 UN Drug Convention.

## II. Status of Country

Serbia is primarily a transit country for the movement of narcotics. The number of seizures in the first part of 2009 appeared to decrease slightly in comparison with 2008. Serbia's borders remain porous, but Serbia has increased border cooperation with many of its neighbors. Increased international law enforcement cooperation has led to some important arrests, but cooperation with Kosovo remains low. Heroin is the most prevalent narcotic, transported from Central Asia along the Balkan Route. Marijuana is grown in and transported from Albania. Serbian organized crime groups are smuggling cocaine from South America directly to Western Europe, although some comes to Serbia overland or through the postal system. The Serbian government estimates that relatively small amounts of narcotics, mostly heroin, remain in the country for domestic consumption.

### III. Country Actions against Drugs in 2009

Policy Initiatives. Serbia's Parliament passed amendments to the Criminal Code and Criminal Procedure code in August 2009 to enhance Serbian law enforcement's efforts to combat narcotics smuggling, organized crime, and corruption, including the use of plea bargaining and increased use of witness collaborators and special investigative techniques such as wiretapping. Parliament is considering draft versions of a new Customs Law and a new Customs Service Law to replace the current Customs Law. The new laws, if adopted, would bring Serbia's Customs Service into accordance with European Union standards, most importantly by giving the Customs Service law enforcement status and the ability to testify in court. The government also adopted a National Strategy for the Fight against Drugs in February 2009. The government created a minister-level coordinating body to fight organized crime in 2009. Serbia established in 2009 an Anti-Corruption Agency, which will investigate allegations of official corruption. The Agency will be operational in 2010.

Law Enforcement Efforts. A number of law enforcement agencies are responsible for combating drug-related crimes, including the Interior Ministry's Drug Smuggling Suppression Department, Border Police, and Drug Addiction Suppression Department; and the Finance Ministry's Customs Administration. While these agencies report

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generally good operational cooperation, there is no government-wide coordinating body that addresses anti-narcotics trafficking law enforcement efforts. The Interior Ministry is currently going through a strategic planning process that could result in improved formal cooperation. The Commission for the Fight against Drugs, composed of the Ministries of Health, Education and Sport, Interior, Social Welfare, and Justice, meets to develop activities to implement the National Strategy for the Fight against Drugs, but there is no clear lead ministry.

Serbia's cooperation with police in other countries has been intensifying. Serbia hosts law enforcement liaison officers from Bulgaria, Romania, Croatia, Italy, and Australia. In March 2009, Serbia hosted a regional UN Office on Drugs and Crime conference on "Promoting the Rule of Law Human Security in South Eastern Europe," and in September 2009 the Ministries of Justice and Interior hosted a regional organized crime conference. Serbia also continued to participate in Southeastern Europe Cooperative Initiative (SECI) Regional Center for Combating Trans-border Crime activities, such as a September 2009 organized crime conference. In May 2009, Serbia and Croatia signed an agreement on police cooperation.

The Interior Ministry conducts joint investigations with Bosnia-Herzegovina, Montenegro, and Croatia and provides intelligence to other neighbors and Western European countries, which aids in seizures and arrests in those countries. Increasingly, Serbia is working with South American countries with U.S. assistance. Serbian law enforcement in October 2009 participated in a Drug Enforcement Agency seizure of 2.8 tons of cocaine in international waters near Uruguay. Serbian authorities arrested three Serbian citizens in connection with the case, and they are in detention in Serbia awaiting trial.

Cooperation with the Republic of Kosovo remains an exception to this trend. The government does not recognize Kosovo as an independent country and therefore will not cooperate directly with representatives of Kosovo's government, permit them to attend conferences that Serbia hosts, or participate in multilateral events with Kosovo representatives. The Interior Ministry signed an agreement with the European Union Rule of Law Mission in Kosovo

(EULEX) in September to cooperate on law enforcement issues, and the Customs Service cooperates informally with EULEX, but both forms of interaction need to increase significantly.

Serbia's Customs Administration Law Enforcement Directorate and all Interior Ministry agencies made a total of 3,634 seizures from January to September 2009. During this period, Serbia interdicted a total of 655.3 kg of drugs including 107.4 kg of heroin, 501.3 kg of marijuana, 9.9 kg of cocaine, 15.4 kg of hashish, 7.6 kg plus 202 tablets of Ecstasy, 91 tablets of LSD, 5.5 kg plus 204 tablets of amphetamines, and 8.2 kg plus 14,607 tablets of other illegal drugs. This is a decrease in quantity of drugs seized compared to the first part of 2008, but law enforcement officials note that total quantity of drugs seized is not indicative of success, since many seizures involve small quantities and other seizures yield unexpectedly high results.

Serbian law enforcement agencies report that while most interdictions to date have been the result of good investigative work, the government is introducing equipment to aid in border inspections, such as the upcoming purchase of 10 mobile x-ray systems for the Customs Administration.

In October 2009, the government launched the nationwide "Operation Morava," targeting drug dealers. The government reported during the initial phase of the operation on October 31 that police temporarily detained 500 individuals throughout Serbia, with 100 taken into custody. It is anticipated that approximately 80 will be charged with narcotics-related offenses. The Interior Ministry reported seizing \$1.05 million in counterfeit U.S. dollars, currency, weapons, luxury vehicles, stolen vehicles, several kilograms of illegal drugs, and other items.

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Under Article 246 of the Criminal Code, Production, Distribution, and Possession of Narcotics, in the first nine months of 2009, police arrested and charged 3,592 individuals. Under Article 247, Facilitating the Consumption of Narcotics, police arrested and charged 155 individuals. In 2008, 4,178 individuals were tried under Article 246, and 3,870 were convicted. More than half of the sentences were probation, fines, or community service, and most prison sentences were three years or less. The majority of prosecutions (70% in 2008) were for possession, which carries more lenient sentences than for production or distribution (29% of cases in 2008).

Corruption. Corruption within Serbia's law enforcement agencies responsible for counter narcotics remains a problem, in large part due to low pay. The Customs Administration reported that there was no organized crime influence but that there were continued instances of officers accepting small bribes from drug dealers or users. The Customs Administration reported that it investigated and referred for prosecution 10% more officials suspected of corruption in 2009 than in 2008. The Drug Smuggling Suppression Department reported reduced corruption and noted that there were no police investigated for narcotics-related corruption in the first nine months of 2009.

No evidence exists that the Serbian government encourages the illicit production or distribution of narcotics or actively launders proceeds from illegal drug transactions. There is no evidence that any senior government official engages in, encourages, or facilitates the illicit production or distribution of drugs. The Republic of Serbia is a party to the 2003 UN Convention against Corruption.

Agreements and Treaties. Serbia became the legal successor state to the State Union of Serbia and Montenegro on June 3, 2006. All international treaties and agreements continue in force, including the 1988 UN Drug Convention, the 1961 UN Single Convention as amended by the 1972 Protocol, the 1971 UN Convention on Psychotropic Substances, and the UN Convention against Transnational Organized Crime, and its protocols against trafficking in persons, migrant smuggling and trafficking in illegal firearms. Serbia has cooperative agreements with Slovenia, Croatia, and Bosnia-Herzegovina on issues relating to cross-border narcotics trafficking. Serbia signed a trilateral agreement with Romania and Bulgaria for counter-narcotics cooperation in 2008. The 1902 Extradition Treaty between the United States and the Kingdom of Serbia remains in force between the United States and Serbia. In 2009, the Parliament passed a law on international cooperation in criminal matters that permits the extradition of Serbian nationals if a binding international treaty exists.

**Drug Flow/Transit:** Serbia sits directly on the Balkan narcotics trafficking route. The UNODC estimates that over 80 tons of heroin travels along this route each year. Serbia's location and porous borders make it attractive for transit. There is no inspection of transit cargo entering on boats traveling on the Danube and only inspection of container seals and documents for cargo destined for Serbia. The Customs Administration reports greater flows of drugs from Montenegro and Kosovo this year.

Heroin grown and processed in Afghanistan is smuggled through Turkey, Bulgaria, Romania, and Kosovo into Serbia, and onward into Western Europe. Police reported an increase in the street price of heroin at the end of October, likely a reaction to recent large interdictions; it is too early to tell if this is a trend. An estimated 5-10 % of heroin stays in the country, but Serbia primarily serves as a transit point. Large amounts of marijuana flow from Albania through Montenegro and onward through Serbia to Western Europe. Some cocaine also transits Serbia along the Balkan route. The Customs Administration reported a significant seizure of cocaine at a border crossing with Bulgaria, where it is more common to discover heroin; it is too early to tell if this represents a trend. The Drug Smuggling Suppression Department believes that Serbian organized crime groups are bypassing Serbia and smuggling cocaine directly from South America to Western Europe. Some of this cocaine comes overland to Serbia, and police have recently

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discovered that some is sent to Serbia through the postal system and commercial courier services. There is an increase in trafficking of synthetic drugs and precursors from Western Europe, either for the domestic market or transiting to Turkey.

**Domestic Programs/Demand Reduction.** The government conducts an addiction prevention program in primary and secondary schools, "Drug Zero, Life One," which includes lectures for students, parents, and teachers and referrals for families who seek help, but the program is not mandatory and individual schools choose whether to participate. The National Network for the Fight against Drugs, a network of anti-drug NGOs, maintains a website with information about drug addiction and prevention.

According to the Public Health Service, there were 60,000 drug users in Serbia in 2008. According to a 2009 Public Health Service study, 15% of high school freshmen have tried narcotics. Serbia's only dedicated government-run drug and alcohol rehabilitation clinic treats about 1,100 patients per year. The clinic provides emergency services and inpatient and outpatient detoxification, using opiate receptor blockers or methadone, psychotherapy, and reintegration skills workshops to treat patients. Public hospitals, including prison hospitals, run outpatient and inpatient drug

rehabilitation programs, and the Health Ministry has a pilot project to provide methadone substitution in primary care clinics. The Serbian Orthodox Church also operates several drug rehabilitation centers. In May 2009, there were allegations of patient abuse at a center in Crna Reka in Serbia's Sandzak region. The Church dismissed the head of the center, and the district prosecutor requested an investigation of the center's two top officials on charges of abuse and torture.

#### IV. U.S. Policy Initiatives and Programs

Bilateral Cooperation. The Serbian Government works closely with the United States, the OSCE, and EU countries to reform and improve its law enforcement and judicial capacity. The United States has provided extensive technical assistance and equipment donations to the police, customs services, border police, and judiciary. Several USG agencies have programs that directly or indirectly support counter-narcotics activities in Serbia, including the Department of Justice International Criminal Investigative Training Assistance Program (ICITAP), the Drug Enforcement Agency, Department of Homeland Security, Department of Defense, Department of the Treasury, and Department of State. The Departments of State and Justice Overseas Prosecutorial Development, Assistance, and Training (OPDAT) have also been instrumental in supporting the Special Court for Organized Crime and War Crimes. The programs are aimed at professionalizing the police and customs services, building skills for new prosecution and investigation techniques provided for in new legislation, improving the ability of Serbia to prosecute corruption and organized crime, including money laundering and illicit trafficking, and increasing the ability of the judiciary to effectively address serious crime.

In 2009, DOJ ICITAP assisted in the formation of Serbia's first undercover police unit by addressing personnel selection issues, training, and mentoring. The unit chief attended additional FBI undercover agent selection process training. In March, the Departments of State and Justice instructed in an OSCE undercover operations training course. An undercover officer successfully completed the unit's first undercover purchase of illegal narcotics in April 2009, leading to charges against two drug traffickers. In November, ICITAP and OPDAT held an international narcotics trafficking course for police and prosecutors.

The Road Ahead. The United States will continue to support the efforts of Serbian law enforcement to combat narcotics smuggling in the region. During the next year the United States would like to see Serbia increase its cooperation with Kosovo and EULEX. Serbia should also continue progress on judicial and law enforcement reform, strengthen interagency coordination, and fully define the

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structure and activities of the Commission for the Fight against Drugs. Increased public awareness campaigns could decrease domestic demand.

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